Sri B. HUTCHE GOWDA.—Bail was refused?

Mr. SPEAKER.—I said that. He was not released on bail.

Sri A. G. RAMACHANDRA RAO.—With deference to the Chair, I beg to move:

"That the matter of privilege referred to in the written motion of Sri J. Mohamed Imam be referred to the Committee of Privileges."

Mr. SPEAKER.—The question is:

"That the matter of privilege referred to in the written motion of Sri J. Mohamed Imam be referred to the Committee of Privileges."

The motion was adopted.

ADJOURNMENT MOTIONS.

(1) Postponement of the elections to the Mysore City Municipality.

Mr. SPEAKER.—Sri B. Hutche Gowda and Sri S. Gopala Gowda have given notice of an adjournment motion which is as follows:—

"That this House do now stand adjourned to discuss a definite matter of urgent public importance and of recent occurrence, namely, the situation arising out of the action taken by Government in their Order No. L. 20455—C.M. 28-52-14, dated Bangalore, 20th February 1953, postponing the elections to the City Municipality of Mysore to December 1953 and thereby causing denial of democratic right of the citizens of Mysore City."

On the same subject, notice of another adjournment motion has been received from Sri J. Mohamed Imam and Sri S. Srinivasa Iyengar, which is as follows:—

"That this House do stand adjourned to raise a debate on a definite matter of urgent public importance and of recent occurrence, namely, the Government Order dated 20th February 1953, directing the postponement of elections to the City Municipality, Mysore."

Is the concerned Minister in a position to enlighten the House?

T. CHANNIAH (Minister for public Health and Local Self-Government).—This subject matter has been brought by the Hon'ble Members as a motion of adjournment. As you will see, this subject is not of urgent and public importance and I do not want to go into the merits of the motion; but, at the outset, I want to say that this subject can be very well discussed on various occasions and the Hon'ble House can have opportunities to discuss this matter on an occasion like the motion of thanks for the Rajpramukh's Address the general discussion of the Budget and when cut motions are moved; on these occasions this subject can be very well brought up and the House can discuss it in detail. There is ample opportunity to discuss this matter and I think there is no necessity to bring this subject on this occasion. And I want to bring to the notice of this Hon'ble House that the Government have ordered the postponing of these elections as a matter of normal administrative function and there is nothing extraordinary in this matter. We have done it on several occasions and therefore, I do not think this local matter of one Municipality can be brought and discussed in this Hon'ble House as an adjournment motion. I request the members who have tabled these adjournment motions, to kindly revise their view and see that these adjournment motions are withdrawn. They may take opportunities to discuss this matter on the occasions I have already mentioned.

***Sri J. MOHAMED IMAM** (Jagalur).—Sir, the significance of tabling an adjournment motion is known to every member of this House. The object of tabling an adjournment motion is two-fold: firstly, to censure the Government on a particular action which they have taken and secondly, to concentrate the attention of this House on the particular issue and I am of opinion that, if the

provisions as laid down in the rules of business are satisfied, then leave sought for to move the adjournment motion must be given. The Minister, beyond stating that we have other opportunities of expressing our opinion, has not said that this adjournment motion violates in any way the rules laid down for the admissibility of an adjournment motion. It is a definite matter; it is of public importance; it is of recent occurrence. So far as the provisions or the rules are concerned, the adjournment motion fully satisfies them. Now I am aware that the Chair, not only in this House but also in the other House, has given a ruling,—I think, not exactly a ruling—that if a parliamentary opportunity is available, then that particular issue need not be a subject of an adjournment motion and it may be tabled or brought to the notice of members in any other form. The question is, what do we mean by parliamentary opportunity? Does every occasion we get, for example, mentioning it while debating on the Rajpramukh's Address or mentioning it in the course of Budget discussion, does it constitute a parliamentary opportunity? In my humble opinion, a parliamentary opportunity is such as it will give an occasion to all the members of this House to concentrate on a particular issue and give their considered opinion on that subject. That is a parliamentary opportunity. Similarly, if it were possible to bring it in the form of an interpellation or in the form of a resolution, then I would have considered it as a parliamentary opportunity. But the mere fact that we are in a position to mention it in the course of our debate in a casual manner—it is not a parliamentary opportunity; it is only a casual opportunity. As I said before, the purpose of the adjournment motion is to censure the action of the Government and to localise and concentrate on that issue; that is the object of the adjournment motion and if the Government want that we should make a casual mention of it in the course of our debate, then we will not be fulfilling our purpose, nor can it be considered as a parliamentary opportunity. I consider it as a parliamentary opportunity if it can be brought as an interpellation or a motion and if those occasions are not available to us, then it cannot be considered as a parliamentary opportunity. If it satisfies the rules laid down in the Rules of Procedure, then I think the Chair must allow the adjournment motion. Parliamentary opportunity must be a certain one. We must be sure of reaching that subject. Suppose you say you can discuss it under a cut motion. Supposing, this one has to be framed under Local Self-Government. It is our experience that we do not reach that branch of administration at all. In the same administration, by mutual arrangement, we are omitting so many cut motions. The opportunity must be a definite one and it must be a certain one and it must be capable of being brought before this House, and a sufficient one. Simply to mention it in the course of a debate is not a parliamentary opportunity and it cannot be considered a sure one. If it is not allowed, the House will be deprived of a valuable privilege. I consider that there are three parliamentary opportunities, to discuss a subject. One is before the proceedings commence when we are asked to send our subjects. Next, we can send it as an interpellation or a resolution, which are certain opportunities; or, in the form of an adjournment motion. Because all the Members of this House are particular that this subject must be discussed, we must be certain that itshould be brought before this House. That is why you should give an opportunity.....

Mr. SPEAKER.—Hon'ble Member may table a short-notice question on the subject.

Sri A. G. RAMACHANDRA RAO (Leader of the House).—That may be allowed, Sir.

Sri J. MOHAMED IMAM.—You will have to consider the difference of the effect when it is brought as a short-notice question or as a motion. A short notice question is tabled only to elicit information. But this motion has been tabled to give our opinion—what the Hon'ble Members feel on certain actions of the Government—which we cannot

(SRI J. MOHAMED IMAM).

bring out in the form of a short-notice question.

Mr. SPEAKER.—Supposing the event had occurred on the 17th or 18th instead of on the 22nd, then, I suppose a question would have been sent.

Sri J. MOHAMED IMAM.—Then, we would have sent a resolution. I am certain in my mind that this adjournment motion must be allowed, because, it satisfies all the requirements. The interpretation of a parliamentary opportunity is: it must be given and it must be definite. I submit that any casual opportunity to mention the subject casually cannot be considered as a parliamentary opportunity sufficient in those cases where statutory provision is made. I submit that this is a fit case to be admitted as an adjournment motion. If it is not so, then I have to say that this House will lose a very valuable right to express its opinion on the actions of Government.

ಶ್ರೀ ಬಿ. ಹುಚ್ಚೇಗೌಡ (ತುರುವೇಕೆರೆ).—22ನೆಯ ತಾರೀಖಿಗೆ ಬದಲಾಗಿ 17ನೆಯ ತಾರೀಖು ಮಾಡಿದ್ದಿದ್ದರೆ ನಾವು ಈ ನಿಲುವಳಿ ಸೂಚನೆಯನ್ನು ತರುತ್ತಲೇ ಇರಲಿಲ್ಲ.

Mr. SPEAKER.—As Hon'ble Members are aware, I indicated during the previous sessions that an adjournment motion is not usually admitted when ordinarily a parliamentary opportunity will shortly occur for raising this subject for debate. We have set apart today and tomorrow for the debate on the 'Motion of Thanks' when this subject could be taken up for discussion. Further, opportunities will occur during the general discussion of the Budget and voting of demands for the relative grants. Also Members are at liberty to table a short notice question with the consent of the concerned Minister. Under these circumstances, I disallow this adjournment motion.

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(2) Shooting by the Police at K.G.F.

Mr. SPEAKER.—There is another adjournment motion. Sri J. Mohamed Imam and Sri S. Srinivasa Iyengar have given notice of another adjournment motion which is as follows:

> "That this House do stand adjourned to raise a debate on a definite matter of urgent public importance and of recent occurrence, namely, the recent shooting by the Police at K.G.F., resulting in several casualties."

***Sri A. G. RAMACHANDRA RAO** (Leader of the House).—I concede that it is a matter of urgent public importance and also of recent occurrence. But at the same time, it is a matter, unfortunately, *sub judice*. The facts of the case are these.—

On 22nd February 1953, a procession of the S.C.F. members was taken out as a protest against the arrest of one C. M. Armugam and to assault Chowri (complainant in the Marikuppam case). Section 45 of the Mysore Police Act is in force in the area where the processionists in defiance paraded. The Special Superintendent of Police accompanied by the Assistant Superintendent of Police and M.A.R.P. party arrived on the scene. The party continued to pelt stones resulting in several injuries to the Police, including the Senior Superintendent of Police and Assistant Superintendent of Police. In self-defence, the Police opened fire. Five rounds were fired. One person who was in the mob died. Cease-fire was ordered as soon as the mob showed inclination to disperse. A case in Crime No. 111/63 of Robertsonpet Police Station under Sections 147, 148, 334, 336 337 and 149, I.P.C., was registered. Twenty persons were arrested. Investigation of this case disclosed that Sri Swamidurai, Member, Legislative Assembly and thePresident of the S.C.F., actually instigated the S.C.F. members to take out procession in defiance of the prohibitory order under Section 45 of the Mysore Police Act in force and to commit offences of the kind mentioned above. He was therefore brought under arrest on 27th February 1953 and was remanded to Judicial custody till 2nd March 1953. The Hon'ble Speaker was apprised of the situation.